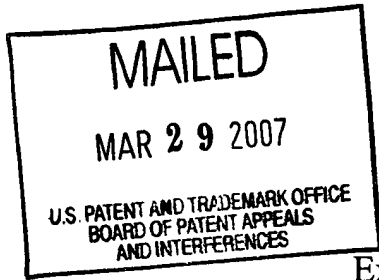


UNITED STATES PATENT AND TRADEMARK OFFICE



BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte THOMAS BRUMM, UDO KLOTZ, NORBERT LOEBIG,
WALTER ZINKL, PATRICK KLEINER, ROBERT KRESNIK
and IRENA ROMANSKI

Application 09/827,487

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on January 3, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

An Information Disclosure Statement (IDS) was filed February 8, 2002. However, the IDS filed February 8, 2002 was supposed to be entered into Application No. 09/668,786.

Further, the Appeal Brief filed on April 21, 2006 reveals that the

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following required section is missing:

(1) "RELATED PROCEEDINGS APPENDIX" as set forth in 37 CFR 41.37(c)(1)(x).

A Supplemental Appeal Brief that is in compliance with 37 CFR § 41.37(c)(1)(ix) and 37 CFR § 41.37(c)(1)(x) is required.


Accordingly, it is

ORDERED that the application is being electronically returned to the Examiner:

- 1) to have the Information Disclosure Statement (IDS) filed February 8, 2002 expunged from the record;
- 2) to notify Appellant of the defective Appeal Brief filed on March 21, 2006;
- 3) to have the Appellants submit a Supplemental Appeal Brief with the missing appendix not present in the Appeal Brief as noted above as required by 37 CFR § 41.37(c)(1)(x);
- 3) and for such further action as may be appropriate.

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BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

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PJN/gjh

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